

IT IS SO ORDERED.

Dated: 11:41 AM November 03 2010



**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:)	CASE NO. 10-55163
)	
Mueller Electric Company, Inc.,)	CHAPTER 11
)	
DEBTOR.)	JUDGE MARILYN SHEA-STONUM
)	
)	MEMORANDUM OF NOVEMBER 2, 2010
)	HEARING ON FIRST DAY MOTIONS

The Court held the first hearing in this case on November 2, 2010. At that hearing, the Court granted the following motions:

1. *Motion to Expedite Hearing* on the Motion of Fifth Third Bank for an Order (I) Scheduling an Expedited Hearing; (II) Shortening Time to Serve Objections to; and (III) Limiting Service of Notice of Emergency Motion of Fifth Third Bank to Dismiss Chapter 11 Case and/or, in the Alternative, Abstention [docket #16];
2. *Motion to Shorten Time* with Respect to Notice of Emergency Joint Motion for an Order Excusing the Receiver from Compliance with 11 U.S.C. § 543(A) and (B) and Authorizing the Receiver to Continue his Administration of Assets of the Debtor [docket #22]; and
3. *Motion to Shorten Time* with Respect to Notice of Emergency Motion to Dismiss Bankruptcy Proceeding or, in the Alternative, for Abstention Under 11 U.S.C. § 305 and to Excuse Receiver's Compliance with 11 U.S.C § 543 [docket #25].

The Court also began to hear the parties' arguments with respect to:

1. The Motion for Authority to Obtain Post-Petition Financing, to Enter into Interim Master Distribution and Operating Agreement, and to Provide Adequate Protection [docket #3];
2. The Motion for Order Authorizing Pre-Petition Payment of Wages, Salaries, and Employee Benefits, Reimbursement of Employee Business Expenses and Payment of Other Employee-Related Amounts and Authorizing Banks and Other Financial Institutions to Receive, Process, Honor and Pay All Check and Drafts Drawn on the Existing Account by Debtor [docket #4];
3. The Motion to Dismiss or, in the Alternative, for Abstention [docket #14];
4. The Motion to Excuse Receiver from Compliance with 11 U.S.C. § 543(A) and (B) and Authorizing Receiver to Continue Administration of Assets [docket #17]; and
5. The Motion to Dismiss Case or, in the Alternative, for Abstention, and to Excuse Receiver's Compliance with 11 U.S.C. § 543 [docket #24].

The Court will continue the hearing on these matters on Thursday, November 4, 2010 at 8:00 am. The parties are to file stipulations by no later than 12:00 pm on November 3, 2010. The Court has also reserved additional hearing time, if necessary, on November 8, 2010.

#

cc (*via* electronic mail):

James W. Ehrman
Mary Whitmer
Scott Opincar
Frederic P Schweig
Michael S Tucker

cc (*via* regular US mail):